

Application No. 09/578,612  
Amendment dated March 20, 2006  
Reply to Office Action of December 27, 2005

REMARKS/ARGUMENTS

Reconsideration of the above-identified patent application is respectfully requested in view of the following remarks. Claims 27, 31 - 33, and 35 - 38 remain in the case. Applicant notes that the previously requested change in Attorney Docket No. has not yet been made in the Office records. Applicant again respectfully requests that Examiner Grier change the Attorney Docket No. associated with this case to WWA-102 to conform to the undersigned's docketing system.

Claims 27 and 31 - 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Masters of pop reclaim Fon memory*, Nigel Lord in view of United States Patent No. 5,487,067 for AUDIO DATA COMMUNICATION, issued January 23, 1996 to Takashi Matsushige. While Examiner Greer has indicated rejection of only claims 27 and 31 - 33, the substance of the rejection appears also to apply to claims 35 - 38. Applicant has responded accordingly.

LORD describes refurbishing an existing recording studio to include "a 3-studio production line...Two identical pre-production studios for Tim Lever and Eliot Kennedy are equipped with Soundcraft 32-channel Ghost mixing desks, Alesis ADATs and Logic Audio workstations...Main and backing vocals are laid down from an adjacent live room, with Kennedy and Lever completing programming in their suites. The tracks progress to the large mixing studio where Mike Percy perches over a 40-channel Amek Mozart."

MATSUSHIGE teaches a system whereby multi-track audio signals may be transmitted via a ring network to various audio devices. Both audio and control (i.e., setup) information may be transmitted from a master device (for example, a mixing console), to a slave device (for example, a tape recorder) MATSUSHIGE describes and claims ONLY a ring network suitable for the interconnection of electronic devices.

With regard to claim 27, LORD fails to teach or suggest "a plurality of audio spaces comprising substantially acoustically identical enclosures specifically adapted for at least listening to a reproduced sound." [emphasis added] Such spaces as described and claimed in the instant application are a fundamental component of Applicant's novel system.

Further, LORD fails to teach or suggest "substantially acoustically identical enclosures each comprising respectively, substantially identical means for reproducing sound." [emphasis added] LORD states that each of two production studios is equipped with a Soundcraft 32-channel Ghost mixing desk, Alesis ADATs and Logic Audio workstations. LORD, however, fails to describe any other necessary audio equipment (e.g., audio amplifiers, speaker systems, acoustical treatments, space geometry, furnishings, etc.) necessary to provide the substantially acoustically identical enclosures comprising substantially identical means for reproducing sound as described and claimed by Applicant.

Finally, LORD completely fails to provide any suggestion of an infrastructure wherein "a listener accommodated in any of said plurality of substantially acoustically identical enclosures so connected receives a substantially identical listening experience to that of a listener accommodated in any other one of said connected substantially acoustically identical enclosures when a substantially identical audio signal transmitted across said means for selectively electrically connecting said audio spaces is substantially simultaneously applied to each of said means for reproducing sound."

An examination of the Soundcraft Ghost console (i.e., mixing desk) at [www.soundcraft.com](http://www.soundcraft.com) indicates that the Ghost is an analog mixer having manually actuated faders and other controls. As such, the Ghost console could not easily be remotely controlled or synchronized with another remotely-located Ghost or other console. An important feature of Applicant's unique system is that identical audio enclosures may be coupled and that changes made in any coupled enclosure,

such as, for example, by moving a control on a console, are reflected in each of the other connected spaces. The Ghost console discussed by LORD does not appear to provide this mode of operation.

Even when the teaching of MATSUSHIGE is combined with LORD, there is no suggestion of substantially acoustically identical spaces being coupled to simultaneously create identical listening experiences as is provided by Applicant's claimed system.

There is neither a suggestion nor is there motivation to combine the teachings of LORD and MATSUSHIGE, as the LORD consoles cannot be coupled. Even were there any such suggestion or motivation, for at least the reasons discussed hereinabove, the combination still fails to suggest the subject matter of instant claim 27. Consequently, claim 27 is believed to define over LORD in view of MATSUSHIGE. Claim 27 is, therefore, believed allowable and its rejection under 35 U.S.C. §103(a) is respectfully traversed.

Claims 31 - 33 and 35 depend from claim 27 and merely recite additional limitations thereto. Consequently, their rejection under 35 U.S.C. §103(a) as being unpatentable over LORD in view of MATSUSHIGE is also respectfully traversed.

With regard to claim 36, as discussed hereinabove, neither LORD nor MATSUSHIGE, singly or in combination teach or suggest Applicant's plurality of substantially acoustically identical enclosures specifically adapted for listening to a reproduced sound.

Neither do LORD nor MATSUSHIGE teach or suggest means for selectively electrically interconnecting one of the plurality of substantially acoustically identical enclosures to another thereof.

Neither LORD nor MATSUSHIGE teach or suggest a tactile control surface. Neither LORD nor MATSUSHIGE teach or suggest linking of a tactile control surfaces in at least one of the

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plurality of audio spaces to a tactile control surface in another of the plurality of audio spaces. There is no teaching or suggestion in either LORD or MATSUSHIGE of a mechanism such that a tactile event originating at a tactile control surface in the first one of the plurality of audio spaces is substantially identically tactilely replicated at the tactile control surface in at least one other of the plurality of audio spaces to reproduce a tactile event.

Again, neither LORD nor MATSUSHIGE teach or suggest a mechanism whereby a listener accommodated in any enclosure receives a substantially identical listening experience to that of a listener accommodated in another one of the enclosures.

Because the prior art of record fails to suggest Applicant's disclosed and claimed system, Applicant respectfully traverses the rejection of claim 36 under 35 U.S.C. §103(a) as being unpatentable over LORD in view of MATSUSHIGE. Claims 37 and 38 depend from claim 36 and merely recite additional limitations thereto. Consequently, their rejection under 35 U.S.C. §103(a) is also respectfully traversed.

In view of the foregoing remarks, Applicant respectfully requests that claims 27, 31 - 33, and 35 - 38 be allowed and a timely Notice of Allowance be issued in this case.

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